

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim 2 is requested to be cancelled. Claims 1, 3-5, 7 and 8 are currently being amended.

This amendment changes and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1, 3-8 and 16-25 are now pending in this application.

Allowable Subject Matter

Applicant thanks the Examiner for acknowledging that claims 16-25 are allowed.

Claim Rejections under 35 U.S.C. § 112

Claims 1-8 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office Action asserts that the limitation “a feature” is not clear. In response, without agreeing or acquiescing to the rejection, applicant has amended independent claim 1 and claims 3-5 to recite a microprocessor for programming the activation control timer. Support for this amendment can be found at least on page 17 of the application as filed. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Claim Rejections under 35 U.S.C. § 102

On pages 2-3 of the Office Action, the Examiner rejected Claims 1-8 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0044050 titled “Tyre Condition Monitoring System” published on April 18, 2002 (“Derbyshire”).

The Examiner stated that:

Regarding claims 1-8 Derbyshire et al teaches a tire pressure sensor 9 10 for automobile vehicle wheels (abstract) and a microprocessor 6 19 for pressure measurement and for control of a radio transmission circuit 5, the sensor 9 10 having a module for activating the microprocessor 6 19 associated with an activation control timer 100 26, characterized in that wherein the timer 26 100 is programmable [0018] and means are provided for programming it [0119].

Derbyshire does not identically disclose the combination of elements recited in amended independent Claim 1. Derbyshire is directed to a “Tyre Condition Monitoring System” including a wheel transmitter unit (2) with sensors (9,10) for sensing temperature and pressure. *See Abstract*. The signals from the sensors (9,10) are transmitted to a receiver unit (5,6,7). *See id.*

Amended Claim 1 is in independent form and recites “an assembly” comprising, in combination with other elements, a tire pressure sensor “wherein the tire pressure sensor has an activation control timer and a module for activating the microprocessor that is associated with the activation control timer, wherein the activation control timer is programmable” and “wherein the microprocessor is arranged to program the activation control timer.” Claims 3-8 depend from independent Claim 1.

Derbyshire does not identically disclose an assembly comprising, among other elements, a tire pressure sensor “wherein the tire pressure sensor has an activation control timer and a module for activating the microprocessor that is associated with the activation

control timer, wherein the activation control timer is programmable” as recited in independent Claim 1. In rejecting claims 1-8 under 35 U.S.C. § 102(e), the Office Action relies on Figures 2 and 19 which show a 2 second timer 26 and a programmable timer 100 respectively. However, neither the 2 second timer 26 nor the programmable timer 100 meet the limitations of the claimed activation control timer.

Figure 2 of Derbyshire shows a wheel transmitter unit. *See* ¶ [0046]. The 2 second timer 26 is located in a transmitter unit. *See* ¶ [0067]. The timer 26 outputs a wake-up signal to the microprocessor at intervals. *See* ¶ [0067]. Responding to the wake-up signal, the microprocessor exits a stand-by mode. *See id.* However, Derbyshire does not disclose or teach that the 2 second timer 26 is programmable.

Figure 19 of Derbyshire shows a programmable timer 100. However, the programmable timer 100 is located in the receiver unit, which receives signals from the wheel transmitter unit. *See* ¶ [0118]. In other words, Derbyshire does not include a tire pressure sensor that has an activation control timer that is programmable. Further, Derbyshire fails to disclose that a microprocessor is arranged for programming the programmable timer 100 as claimed in amended Claim 1.

Finally, the Office Action also refers to paragraph [0018] and Figure 4 in support of the assertion that Derbyshire teaches a programmable timer. Figure 4 and the passages related to Figure 4 describe a calibration process. The calibration process exposes the transmitter unit to calibrated temperatures and pressures. *See* ¶ [0058]. However, Derbyshire does not disclose that this process programs the 2 second timer 26 or the programmable timer 100.

Accordingly, the rejection of Claim 1 over Derbyshire is improper. Thus, Claim 1 is patentable over Derbyshire.

Dependent Claims 3-8, which depend from independent Claim 1, are also patentable. See 35 U.S.C. § 112 ¶ 4.

The Applicants respectfully request withdrawal of the rejection of Claims 1 and 3-8 under 35 U.S.C. § 102(e).

* * *

It is submitted that each outstanding objection and rejection to the Application has been overcome, and that the Application is in a condition for allowance. The Applicants request consideration and allowance of all pending Claims 1-8 and 16-25.

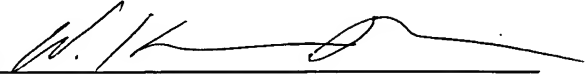
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 5/19/08

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5576
Facsimile: (414) 297-4900

By 

W. Keith Robinson
Attorney for Applicant
Registration No. 59,396